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OKLAHOMA STATE DEPARTMENT *of* EDUCATION

MEMORANDUM

TO: The Honorable Members of the State Board of Education

FROM: Joy Hofmeister

DATE: February 26, 2015

SUBJECT: Administrative Rule Promulgation

The State Board of Education will be taking action at the February meeting on the following rules, pursuant to the *Oklahoma Administrative Procedures Act*, 75 O.S. § 250, *et seq.*

- (1) Chapter 10. School Administration and Instructional Services
Subchapter 3. Child Nutrition Program
Part 11. Foods of Minimal Nutritional Value [REVOKED]
210:10-3-111. Restricting access to foods of minimal nutritional value [REVOKED]
This is a required revocation of a rule that codified federal nutrition standards which have been superseded.
- (2) Chapter 10. School Administration and Instructional Services
Subchapter 3. Child Nutrition Program
210:10-3-112. Smart Snacks in School [NEW]
This rule updates the administrative code to reflect the current federal nutrition standards for foods sold in schools outside the school meal programs, and articulates the State Board's policies for permitting fundraisers exempt from the new nutrition standards.
- (3) Chapter 20. Staff
Subchapter 9. Professional Standards: Teacher Education and Certification
210.20-9-96. Requirements for renewal or reissuance of certificates [AMENDED]
The proposed amendment provides that if a teacher or administrator's certificate has been expired for 3 or more years, the applicant must undergo a new criminal history record check, as provided for at 70 O.S. § 5-142, before the certificate may be renewed.

- (4) Chapter 20. Staff
Subchapter 9. Professional Standards: Teacher Education and Certification
210:20-9-99. National Board certification [REVOKED]
This is a required revocation pursuant to House Bill 1660, the terms of which superseded the existing rule on National Board certification.
- (5) Chapter 25. Finance
Subchapter 3. Funding Criteria
210:25-3-2. Average daily attendance/membership [AMENDED]
The proposed amendment provides that average daily attendance/average daily membership of a school shall include not only 4-year-olds attending early childhood programs, but also any 3 year old child with a disability who has an individual education program (IEP) and receives services from the school.
- (6) Chapter 35. Standards for Accreditation of Elementary, Middle Level, Secondary, and Career and Technology Schools
Subchapter 3. Standards for Elementary, Middle Level, Secondary, and Career and Technology Schools
210:35-3-47. School reports and records [AMENDED]
The proposed amendment outlines policies regarding the State Department of Education's statutory authority, under 70 O.S. § 24-116, to issue a high school diploma to a person who has successfully completed 30 hours of college work at an accredited college or university.
- (7) Chapter 40. Grants and Programs-in-Aid
Subchapter 87. Rules for Payments to Charter Schools
210:40-87-3. Guidelines for payment [AMENDED]
This is a required amendment pursuant to Senate Bill 1461, which established additional financial reporting requirements for charter schools.